

**Introduced by Senator Machado**

January 16, 2008

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An act to amend Section 31100.5 of, and to add Chapter 4.6 (commencing with Section 31180) to Division 21 of, the Public Resources Code, relating to coastal resources.

**LEGISLATIVE COUNSEL'S DIGEST**

SB 1108, as introduced, Machado. Sacramento-San Joaquin Delta Conservancy Program.

Existing law authorizes the State Coastal Conservancy to acquire, manage, direct the management of, and conserve specified coastal lands and wetlands in the state. Existing law requires 6 Members of the Legislature, appointed as specified, to meet with the State Coastal Conservancy and participate in its activities to the extent not incompatible with their legislative positions.

This bill would additionally provide that these appointments shall balance representation among coastal California, the San Francisco Bay Area, and the delta appropriate to the conservancy's activities.

This bill would establish the Sacramento-San Joaquin Delta Conservancy Program, to be administered by the conservancy, for the purpose of restoring, enhancing, and protecting the unique agricultural, economic, natural, cultural, recreational, public access, and urban waterfront resources and opportunities of the Sacramento-San Joaquin Delta, as defined, in a coordinated, comprehensive, and effective manner, as prescribed.

Existing law establishes the State Coastal Conservancy Fund, and requires that moneys in the fund be available for appropriation for specified purposes relating to coastal and wetlands restoration and protection.

The bill would create the Sacramento-San Joaquin Delta Conservancy Program Account in the State Coastal Conservancy Fund, for the purpose of depositing and disbursing funds, upon appropriation by the Legislature, for the administration and implementation of the program. The bill would require that interest on any funds in the account accrue to the General Fund, and that the conservancy account for all deposits and reimbursements of funds in the account.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 31100.5 of the Public Resources Code  
2 is amended to read:

3 31100.5. Three Members of the Senate, appointed by the Senate  
4 Rules Committee, and three Members of the Assembly, appointed  
5 by the Speaker of the Assembly, shall meet with the conservancy  
6 and participate in its activities to the extent that such participation  
7 is not incompatible with their respective positions as Members of  
8 the Legislature. *These appointments shall balance representation*  
9 *among coastal California, the San Francisco Bay Area, and the*  
10 *delta appropriate to the conservancy's activities, and shall assure*  
11 *that each area is represented by at least one Member of the*  
12 *Legislature.*

13 SEC. 2. Chapter 4.6 (commencing with Section 31180) is added  
14 to Division 21 of the Public Resources Code, to read:

15  
16 CHAPTER 4.6. SACRAMENTO-SAN JOAQUIN DELTA  
17 CONSERVANCY PROGRAM  
18

19 31180. The Sacramento-San Joaquin Delta Conservancy  
20 Program is established pursuant to this chapter, to be administered  
21 by the conservancy, for the purpose of restoring, enhancing, and  
22 protecting the unique agricultural, economic, natural, cultural,  
23 historical, recreational, public access, and urban waterfront  
24 resources and opportunities of the Sacramento-San Joaquin Delta  
25 in a coordinated, comprehensive, and effective manner.

26 31181. (a) The Legislature hereby finds and declares that the  
27 Sacramento-San Joaquin Delta constitutes a region of significant  
28 statewide importance to the people of California. The Legislature

1 further finds and declares that one of the state’s primary goals for  
2 the delta is to protect, maintain, enhance, and restore the overall  
3 quality of the delta environment with respect to resources,  
4 including, but not limited to, agriculture, wildlife habitat, public  
5 access, and recreational opportunities.

6 (b) The Legislature further finds that, in order to protect the  
7 delta, it is important that urban development not occur in the  
8 primary zone, as defined in Section 29728, so that agriculture,  
9 wildlife, and recreation are allowed to flourish.

10 31182. For purposes of this chapter, the following terms have  
11 the following meanings:

12 (a) “Commission” means the Delta Protection Commission  
13 established pursuant to Chapter 3 (commencing with Section  
14 29735) of Division 19.5.

15 (b) “Delta” means the Sacramento-San Joaquin Delta, as defined  
16 in Section 12220 of the Water Code, and, in addition, the area  
17 within the incorporated limits of the City of Rio Vista.

18 (c) “Program” means the Sacramento-San Joaquin Delta  
19 Conservancy Program established pursuant to this chapter.

20 31183. The conservancy may undertake projects in the delta  
21 and may award grants or make loans to public agencies and  
22 nonprofit organizations to achieve the following goals of the  
23 program:

24 (a) Promotion of farming in a manner that integrates agricultural  
25 activities with environmental protection and that also sustains the  
26 economics of the region through wildlife-friendly farming  
27 practices, implementation of innovative farming technology,  
28 improvement of water quality and water usability, enhancement  
29 of habitat, integrated pest management practices, and other  
30 approaches.

31 (b) Protection of farmland and promotion of agricultural  
32 viability, including, but not limited to, land used or usable for  
33 grazing.

34 (c) Restoration, enhancement, provision, and protection of open  
35 space and natural areas.

36 (d) Furthering compatibility of agricultural and other private  
37 land uses, recreational and educational uses, and wildlife  
38 protection.

1 (e) Collaboration with public or private entities and individuals  
2 that support the economy of the communities and rural areas of  
3 the delta, including urban waterfronts.

4 (f) Provision of public access and recreational opportunities.

5 (g) Protection, restoration, and support of the economy of  
6 culturally and historically important places.

7 31184. For purposes of this chapter only, the conservancy may  
8 undertake or fund an acquisition of property rights only where  
9 there is a willing seller.

10 31185. In developing projects under the program, the  
11 conservancy shall give priority to those projects that meet all of  
12 the following criteria:

13 (a) Supported by adopted local or regional plans.

14 (b) Serve a multijurisdictional or regional constituency.

15 (c) Have multiple objectives.

16 (d) Include matching funds from other sources of funding or  
17 assistance. The matching funds obligation can be satisfied by the  
18 provision of in-kind activities that further the goals of the  
19 conservancy.

20 (e) Can be implemented in a timely manner.

21 (f) Serve more than one of the goals described in Section 31183.

22 31186. (a) The conservancy shall work with the commission  
23 to implement appropriate goals and policies of the resource  
24 management plan adopted by the commission pursuant to Section  
25 29760. The conservancy shall conduct, in conjunction with the  
26 commission, an assessment of the conservation needs of the delta  
27 that describes the actions needed to fulfill the program's goals  
28 described in Section 31183.

29 (b) The commission may request conservancy action through  
30 the program by resolution, or may adopt a list of priority areas or  
31 concerns that shall also provide guidance to the program.

32 (c) At least 60 days prior to the conservancy approving a project,  
33 the conservancy shall submit a project description summary to the  
34 commission for review.

35 31187. (a) (1) The Sacramento-San Joaquin Delta  
36 Conservancy Program Account is hereby created in the State  
37 Coastal Conservancy Fund, for the purpose of depositing and  
38 disbursing funds, upon appropriation by the Legislature, for the  
39 administration and implementation of the Sacramento-San Joaquin  
40 Delta Conservancy Program. All funds that are appropriated for

1 the purposes of this chapter, and all reimbursements, proceeds of  
2 sale, or other money received by the conservancy for the purposes  
3 of this chapter and derived from projects funded from this account  
4 shall be deposited in this account.

5 (2) Interest on any funds in this account shall accrue to the  
6 General Fund. The conservancy shall account for all deposits and  
7 reimbursements of funds in this account.

8 (b) The conservancy shall not undertake an activity pursuant to  
9 this chapter until funds from new sources that are not available to  
10 the conservancy as of January 1, 2009, are appropriated by the  
11 Legislature or otherwise made available to the conservancy for  
12 those purposes, and until the State Coastal Conservancy Fund is  
13 reimbursed from moneys in the account for all administrative or  
14 general planning funds expended by the conservancy for the  
15 purposes of this chapter prior to the appropriation of funds to, or  
16 the availability of funds in, the account for those purposes. In  
17 accomplishing the objectives of this chapter, the conservancy may  
18 exercise its authority as provided for in this division, as well as  
19 pursuant to all other express or implied authority granted to the  
20 conservancy.

21 31188. In the report to the Governor and the Legislature  
22 required by Section 31108, the conservancy shall discuss its  
23 progress in addressing the goals of this chapter, including, but not  
24 limited to, implementation of the long-term resource management  
25 plan adopted by the commission under Section 29760.